

REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and in light of the following remarks and discussion.

The specification has been amended as required.

Claims 1 and 3-16 are pending in the application. Claim 1 has been amended to be consistent with original Claim 2. The rejection under 35 U.S.C. § 112 is therefore believed to be moot.

The claims are rejected under 35 U.S.C. § 102 or 5 U.S.C. § 103 as being anticipated by or obvious over Tunnicliffe et al. It is requested that the rejection of the claims be withdrawn, and that the claims be allowed, for the following reasons.

The present invention is directed to a method for decontamination of oily cuttings, coming from drilling oil wells, and recovery of an oily component. Specifically, independent claim 1 recites mixing oily cuttings with a solvent compressible to a liquid state at a pressure ranging from 45 to 80 bar and causing separation of an oily fraction at a pressure ranging from 30 to 60 bar, to dissolve the oily fraction of the cuttings.

The claimed invention can provide numerous advantages. By way of specific examples, because separation of an oily fraction from the oily cuttings occurs at a pressure ranging from 30 to 60 bar, the solvent is prevented from being in a gaseous state under critical or supercritical conditions. Handling and use of the solvent in the oil recovery process is greatly simplified by providing the solvent in a liquid state.

As previously explained, in paragraph [0039] of Tunnicliffe, hydrocarbon-containing materials are cleaned by a cleaning solvent under critical and supercritical conditions. As shown in the Table after paragraph [0037] of Tunnicliffe, the critical pressure of carbon dioxide is 7.375 MPa, which is 73.75 bar. Therefore Tunnicliffe does not disclose or render

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obvious the above discussed features recited in independent claim 1. Further, Tunnicliffe does not provide the advantages provided by the claimed invention.

The Office Action has replied that the pressures in Tunnicliffe are “near critical” which is broader than “critical.” However there is no evidence of record to support the assertion that “near critical” includes the claimed range.

For the above reasons it is requested that the rejection of independent claim 1 be withdrawn, and that the independent claim be allowed.

Claims 2-16 are allowable for the same reasons as independent claim 1 from which they depend, as well as for their own features. The allowance of dependent claims 2-16 is therefore requested.

Consequently, for the reasons discussed in detail above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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